

ARLINGTON PUBLIC SCHOOLS

In accordance with the provisions of the Massachusetts General laws, Chapter 30A, Section 20, notice is hereby given for the following meeting of the:

***Arlington School Committee
Negotiations Subcommittee: AEA
Tuesday, August 18, 2020
11:00 AM***

Open Meeting

Conducted by Remote Participation

<https://www.mass.gov/doc/order-suspending-certain-provision-of-open-meeting-law/download>

Executive Session

- *To conduct strategy sessions in preparation for negotiations with union and/or nonunion personnel or contract negotiations with union and/or nonunion in which if held in an open meeting, may have a detrimental effect.*
- *To conduct strategy with respect to collective bargaining or litigation, in which if held in an open meeting, may have a detrimental effect. Collective bargaining may also be conducted.*

Adjournment

The listings of matters are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Stated times and time amounts, listed in parenthesis, are the estimated amount of time for that particular agenda item. Actual times may be shorter or longer depending on the time needed to fully explore the topic.

Submitted by Robert Spiegel

Massachusetts law requires all open session meetings of public bodies to be accessible to members of the public, including those with disabilities. If you need reasonable accommodations in order to participate in the meeting, contact the Administrative Assistant to the Arlington School Committee Karen Fitzgerald at kfitzgerald@arlington.k12.ma.us in advance of the meeting.



Town of Arlington, Massachusetts

Remote Meeting-Confirm member access

ATTACHMENTS:

Type	File Name	Description
Reference Material	Remote_Meeting_Script_(00022231xA050C).pdf	Remote Meeting script
Reference Material	Remote_Participation_Checklist_for_COVID-19_Emergency_(00022229xA050C).pdf	Remote Checklist
Reference Material	Supplement_re_Remote_Participation_During_Coronavirus_State_of_Emergency_-_Checklist_and_Script.pdf_(00022235xA050C)_(1)_(1).pdf	Remote Participation
Reference Material	oml3122020.pdf	OML

DRAFT SCRIPT FOR REMOTELY CONDUCTED OPEN MEETINGS

Confirming Member Access:

As a preliminary matter, this is [identify meeting manager – Chair, support staff, etc.]. Permit me to confirm that all members and persons anticipated on the agenda are present and can hear me.

- Members, when I call your name, please respond in the affirmative. *State each members' name.*
- Staff, when I call your name, please respond in the affirmative. *State each staff members' name.*
- Anticipated Speakers on the Agenda, please respond in the affirmative. *State each anticipated speakers' name.*

Introduction to Remote Meeting:

Good morning/afternoon/evening. This Open Meeting of [Insert Public Body Name] is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting [will/will not] feature public comment.

For this meeting, [Insert Public Body Name] is convening by [telephone conference/video conference via Zoom App/Facebook Live/etc.] as posted on the Town's Website identifying how the public may join.

For "Zoom" Meetings

Please note that this meetings is being recorded, and that some attendees are participating by video conference.

Accordingly, please be aware that other folks may be able to see you, and that take care not to "screen share" your computer. Anything that you broadcast may be captured by the recording.

Meeting Materials

***For Novus Agenda-Supported Meetings:** All of the materials for this meeting, except any Executive Session materials, are available on the Novus Agenda dashboard, and we recommend the members and the public follow the agenda as posted on Novus unless I/The Chair notes otherwise.

***For Non-Novus Supported Meetings:** All supporting materials that have been provided members of this body are available on the Town's website unless otherwise noted. The public is encouraged to follow along using the posted agenda unless I/The Chair notes otherwise.

Meeting Business Ground Rules

We are now turning to the first item on the agenda. Before we do so, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- I/the Chair, will introduce each speaker on the agenda. After they conclude their remarks, the Chair will go down the line of Members, inviting each by name to provide any comment, questions, or motions. Please hold until your name is called. Further,

- Please remember to mute your phone or computer when you are not speaking;
 - Please remember to speak clearly and in a way that helps generate accurate minutes
- For any response, please wait until the Chair yields the floor to you, and state your name before speaking.
- If members wish to engage in colloquy with other members, please do so through the Chair, taking care to identify yourself.
- For Items with Public Comment:

After members have spoken, the Chair will afford public comment as follows:

- The Chair will first ask members of the public who wish to speak to identify their names and addresses only;
 - Once the Chair has a list of all public commentators, I will call on each by name and afford 3 minutes for any comments.
- Finally, each vote taken in this meeting will be conducted by roll call vote.

[Any additional preliminary comments tailored to meetings]

REMOTE PARTICIPATION MEETING CHECKLIST

In Advance of Meeting

- ☐ All non-emergency items properly posted *at least* 48 hours in advance
- ☐ “Executive Order on Remote Participation” is posted with agenda
- ☐ All members received the same documents for meeting
- ☐ Supporting documents posted on Novus or Town website (does not have to be 48 hours in advance unless required by law)
- ☐ For meetings with public participation, encourage written public comments

Initiating Meeting

- ☐ Confirm that all Members are present and can hear each other
- ☐ Read Preamble to Remote Meetings
- ☐ Note materials for meeting available online through Novus or Town website for the public
- ☐ Introduce all members, staff, and persons on the agenda
- ☐ Cover “ground rules”

For “Zoom” Meetings

- ☐ Disable Chat Function for Participants
- ☐ Click “Record Meeting”
- ☐ Advise Participants that Meeting is Being Recorded
- ☐ Caution Participants About Screen Sharing

During Meeting

- ☐ Each speaker states their name before each presentation, comment, or question
- ☐ All votes taken by roll call
- ☐ Meeting Minutes reflect remote status

Technical Difficulties

- ☐ If technical difficulties arise, Chair suspends meeting while attempts to resolve are made
- ☐ Keep accurate minutes noting any disconnections and reconnections of members



**Town of Arlington
Legal Department**

Douglas W. Heim
Town Counsel

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Website: www.arlingtonma.gov

To: Select Board

Cc: Town Committees and Commissions; Adam Chapdelaine, Town Manager; John Leone, Town Moderator

From: Douglas W. Heim, Town Counsel

Date: March 18, 2020

Re: Supplement – Remote Meeting Checklist and Guidance

Please receive this Supplement to the Memoranda from this Office of March 11, 2020, and March 13, 2020 regarding the Town's options for conducting meetings during the coronavirus (or "COVID-19") State of Emergency in the Commonwealth.

As you will recall, meetings by telephone or video conference during the State of Emergency may proceed with all participants engaging remotely, so long as "alternative means of public access" is provided.¹ Public access can be provided by allowing the public to call in or otherwise join meetings remotely so that they can see and/or hear what takes place at remote participation meetings. To assist you in availing yourselves of these options, this Office has developed a checklist and script for Chairs and administrative support staff for remotely

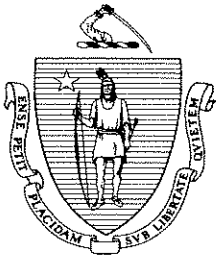
¹ Certain hearings require additional consideration where public comment and/or participation is required.

conducted open meetings which you will find attached. These documents are intended as guides primarily to ensure the following:

- Accurate meeting minutes can be recorded;
- All other requirements of the Open Meeting Law are met;
- The public understands the modifications to the Open Meeting Law during the State of Emergency; and
- Chairs are able to effectively use new technologies such as the “Zoom” app effectively.

Please keep in mind that unlike some other users of teleconference or videoconference technology, it is essentially that a government body’s business can be accurately understood and recorded in meeting minutes, and that the public can follow along.

If specific circumstances of your meeting require further counsel, such as conducting an executive session by remote meeting, please contact this Office at your convenience for further support.



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

WHEREAS, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

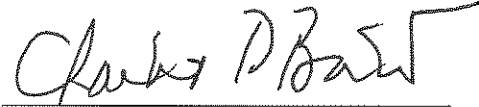
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in dark ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



Town of Arlington, Massachusetts

Open Meeting

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Conducted by Remote Participation

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Adjournment



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